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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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JLS EQUITIES, LLC, A NEW YORK LIMITED :
LIABILITY COMPANY, :

Plaintiff,

v.

RIVER FUNDING, LLC; LENOX HUDSON, :
 LLC; LENOX TEMPLE, LLC; TEANECK :
 PLAZA VENTURES, LLC; SETH LEVINE; and :
 SHIRA LEVINE, :

Defendants.

Case No. 2:19-cv-17615

Hon. Madeline Cox Arleo

**DECLARATION OF
MOSHAE J. STRAUS
IN SUPPORT OF
MOTION TO INTERVENE**

MOSHAELE STRAUS, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am the Managing Member of Ascend Re Partners II, LLC (“Ascend”). I have personal knowledge of the facts recounted herein and submit this declaration in support of Ascend’s motion to intervene.

2. Ascend created Lenox Hudson, LLC ("Lenox Hudson") and Lenox Temple LLC ("Lenox Temple") to hold title to real property located, respectively, at 107-109 Hudson Street and 54-78 Temple Avenue, in Hackensack, Bergen County.


3. In about September 2013, Ascend entered into written agreements with defendant Seth Levine whereby Levine, through entities he controlled, became a 40% owner of Lenox Hudson and Lenox Temple and agreed to manage the respective real property held by those entities.

4. Amended operating agreements for both Lenox Hudson and Lenox Temple set forth the respective rights of Ascend and the Levine entities as the LLC members.

5. Since September 2013 to this day, Ascend has maintained its 60% ownership interest in both Lenox Hudson and Lenox Temple. At no time after September 2013 did Ascend sell, convey or otherwise transfer its ownership interest in these entities or any part thereof.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 26, 2019 in Englewood, New Jersey.



Moshael J. Straus